

VZCZCXRO1811
PP RUEHFL RUEHKW RUEHLA RUEHNP RUEHROV RUEHSR
DE RUEHPG #0738/01 3331603
ZNY CCCCC ZZH
P 281603Z NOV 08
FM AMEMBASSY PRAGUE
TO RUEHC/SECSTATE WASHDC PRIORITY 0871
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY
RUEAMDA/MDA WASHINGTON DC PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 PRAGUE 000738

SIPDIS

STATE FOR T, EUR/FO, EUR/CE

E.O. 12958: DECL: 11/27/2018

TAGS: [PREL](#) [PGOV](#) [EZ](#)

SUBJECT: MISSILE DEFENSE: CZECH SENATE APPROVES MD
AGREEMENTS

REF: A. PRAGUE 704

[B](#). PRAGUE 681

[C](#). PRAGUE DAILY NOVEMBER 26 2008

[D](#). PRAGUE 737

Classified By: DCM MARY THOMPSON-JONES FOR REASONS 1.4 (B) AND (D).

[1](#). (C) SUMMARY: On November 27, the Czech Senate debated and approved the U.S.-Czech Ballistic Missile Defense Agreement (BMDA) and the Status of Forces Agreement (SOFA). The nearly five-hour debate brought no new arguments, and the opposition failed to push through motions for a constitutional review of the agreements and a postponement of Senate action on the agreements until December 2009. All 81 Senators were present and voted along party lines, as expected, approving both agreements 49 to 32. The government's focus now shifts to the parliament's lower chamber, where the governing coalition does not enjoy the comfortable majority it enjoys in the Senate, and where the timing of the two agreement's first reading remains unclear. END SUMMARY.

NOTHING NEW IN MD DEBATE

[2](#). (SBU) True to predictions we have heard from Senate Chairman Premysl Sobotka and DPM Alexandr Vondra, the Senate took up the two MD agreements on November 27 (ref A). This was the first session of the Senate following the October Senate elections, in which the ruling Civic Democrats (ODS) lost their absolute majority in the upper chamber and which swelled the ranks of the opposition Social Democrats (ref B).

Despite its new make-up, the Senate debate and vote on the MD agreements were uneventful and did not attract much attention from the public or media. Throughout much of the debate, the Senate's public gallery remained nearly empty, save for the two embassy officers who attended the session.

[3](#). (SBU) The debate was kicked off by PM Topolanek, who kept his comments short because, as he stated, not much remained to be said that had not already been said in the nearly two years of MD discussion in the Czech Republic. Topolanek was followed by FM Schwarzenberg and MOD Parkanova, who reviewed key points of the BMDA and SOFA, respectively. All stressed the need for continuity in Czech foreign policy, the importance of Czech Republic contributing to -- and not just consuming -- NATO security, and their conviction that the United States would not abandon the project under the incoming Obama administration. Most MD supporters who spoke during the Senate debate also stressed the importance of standing up to Russia's threats by anchoring the Czech Republic even more firmly within the trans-Atlantic community.

[4](#). (C) The opposition acknowledged that it had no real problems with the two agreements per se. Indeed, some of them praised the work of the negotiators. The early

criticism that had focused on environmental and health concerns did not enter the Senate's discussion. Most of the opposition's arguments centered on questions about the position of the next U.S. administration and of NATO. They also called into question the effectiveness of the MD system and latched onto French President Sarkozy's statement that the European MD site should be put on hold until a discussion of a new European security architecture can take place. Some tried to portray the October elections as a referendum on the MD radar, and argued that only the Senators elected in October had a "mandate" to decide the matter. This line of reasoning earned the opposition a strong rebuke from several of their colleagues across the aisle, who were offended that someone would call into question their mandate to decide this or any other matter. Note: Polls have consistently shown voters are far more concerned about pocketbook issues rather than MD. The issue therefore was unlikely to have been a significant factor in the October elections, except in districts around the radar site. End Note.

VOTING AS EXPECTED

15. (SBU) The voting, when it came after nearly five hours of debate, was swift. The Senators voted not only on the agreements, but also on the opposition's calls that the agreements be reviewed by the Constitutional Court and that the Senate defer consideration of the agreements until December 30, 2009. Both of these motions were voted down. The Senators voted separately on each agreement, but both were approved with 49 Senators voting for and 32 voting

PRAGUE 00000738 002 OF 002

against. Note: The Senate therefore approved the MD agreements with a constitutional majority, or three-fifths of 81. End Note. All 81 Senators were present, and all voted. The 49 supporters included all 43 coalition Senators and all 6 independents. The Senate's 29 Social Democrats and 3 Communists accounted for the 32 nay votes.

COMMENT

16. (C) The MD ratification vote in the Senate was always going to be a sideshow, given the coalition government's strong position in the upper chamber. Nevertheless, this victory, as well as the fact that the Senate debate and vote moved forward without significant obstructions from the opposition, gives the government some momentum as its focus shifts to the lower chamber. There, the situation has become extremely complicated in recent weeks, with internal disputes and obstructions within ODS and the Green Party calling into question whether the coalition can still muster a majority to push through its agenda. Most recently, this was painfully clear on November 25, when the government failed to push through the lower chamber a program for its last legislative session of the year (ref C). As a result, the timing of the MD agreements' first reading, which was to be a part of this last session, is in doubt. PM Topolanek has made no statement about whether he will call a special session of the lower chamber to take up the MD agreement before the end of the year. He is unlikely to take any steps before the December 5-7 ODS congress, which will be decisive not only for his future as ODS chairman, but also for breaking through the political logjam, in which key priorities, like MD and the Lisbon Treaty, are caught up (ref D). The Senate will have to return to MD one more time, when the government seeks its approval of the resolution on the stationing of U.S. troops on Czech territory. Ministry of Foreign Affairs officials have told us that the government will submit this resolution to a vote in both chambers only after the BMDA and SOFA have been approved in the lower chamber. As with the BMDA and SOFA, the resolution should pass in the Senate without major difficulties, since only a simple majority of

all Senators (i.e., 41 out of 81 votes) will be required.
Graber